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8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

10 **DAVID N. ROBERTS,**

11 **Plaintiff,**

12 **v.**

13 **PRESLEY DETENTION CENTER,**

14 **Defendant.**  
15

**NO. ED CV 22-01723-VBF-RAO**

**ORDER**

Adopting the Report and Recommendation;  
Dismissing the Case Without Prejudice;  
Terminating the Case (JS-6)

16 Pursuant to 28 U.S.C. § 636, the Court has reviewed the complaint, the Magistrate Judge's Order  
17 to Show Cause, the Report and Recommendation of United States Magistrate Judge, and all other documents  
18 filed in this action. Plaintiff did not file objections within the time allotted.

19 Finding no defect of law, fact or logic in the Magistrate Judge's Report, the Court orders as follows:

20 **The Report and Recommendation [Doc #11] is ADOPTED.**

21 **This action is DISMISSED WITHOUT PREJUDICE for lack of prosecute and failure to**  
22 **comply with court order.**

23 **IT IS SO ORDERED.**  
24

25 DATED: May 19, 2023

26 *Valerie Baker Fairbank*

27 **VALERIE BAKER FAIRBANK**  
28 **UNITED STATES DISTRICT JUDGE**